

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office DEC 04 2002

Returned to applicant for correction _____

Corrected application filed _____

Map filed DEC 04 2002

The applicant **Richard H. Egger and Carol J. Egger, Trustees of the Richard H. Egger Living Trust; Richard H. Egger and Carol J. Egger, Trustees of the Carol J. Egger Living Trust; Stephen R. Egger, Stacy B. Egger and Egger Enterprises, LLC**, hereby make application for permission to change the **point of diversion** of water heretofore appropriated under Permit 60885

1. The source of water is **underground**
2. The amount of water to be changed **5.4 cfs**
3. The water to be used for **irrigation and domestic**
4. The water heretofore permitted for **irrigation and domestic**
5. The water is to be diverted at the following point **within the SW¼ NW¼ of Section 33, T.44N., R.31E., MDB&M or at a point from which the NW corner of said Section 33 bears N 2°01' W a distance of 1608.0 feet**
6. The existing permitted point of diversion is located within the **NW¼ SW¼ of Section 28, T.44N., R.31E., MDB&M or at a point from which the W¼ corner of said Section 28 bears N 3°06' W a distance of 1303.8 feet.**
7. Proposed place of use **unchanged**
8. Existing place of use **S½ of Section 21, S½ of Section 22, all of Sections 27 and 28, T.44N., R.31E., MDB&M—1914.62 acres**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **drilled well, pump, motor, and irrigation system.**
12. Estimated cost of works **in excess of \$10,000**
13. Estimated time required to construct works **Well is complete. See well log filed under Permit 60885**
14. Estimated time required to complete the application of water to beneficial use **2 years**
15. Remarks: **The well was drilled in the wrong 40-acre subdivision and over 300 feet from the existing point of diversion. This application is being filed to correct the point of diversion.**

Desert Mountain Surveying as agent
By **John H. Milton III, PLS, SWRS**
s/John H. Milton III
146 West Second Street
Winnemucca, NV 89445

Compared cmf/cac dl/cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 60885 is issued subject to the terms and conditions imposed in said Permit 60885 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

The total combined diversion rate of water issued under Permits 46717, Certificate 13313; 46722, Certificate 13314; 46723, Certificate 13315; 46726, Certificate 13316; 46727, Certificate 13317; 46728, Certificate 13318; 46734, Certificate 13319; 50996, Certificate 13320; 50997, Certificate 13321; 50998, Certificate 13322, and Permit 69361 is limited to 29.30 cubic feet per second and the total combined duty shall not exceed 7658.48 acre-feet annually.

Totalizing meters shall be maintained on all wells under the certificates listed above.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 5.4 cubic feet per second, but not to exceed 1955 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

September 25, 2004

Proof of completion of work shall be filed on or before:

October 25, 2004

Water must be placed to beneficial use on or before:

September 25, 2006

Proof of the application of water to beneficial use shall be filed on or before:

October 25, 2006

Map in support of proof of beneficial use shall be filed on or before:

October 25, 2006

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 25th day of September, A.D. 2003


State Engineer

Completion of work filed NOV 22 2004

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____